

Utah Antidiscrimination and Labor Advisory Council
Meeting Minutes
August 9, 2007
12:00 pm to 1:10 pm
Room 319

Council Members in attendance:

Sherrie Hayashi, Commissioner
Heather Morrison, UALD Division Director
Tony Montano, Employee Representative
Jathan Janove, Employer Representative
Rick Thaler, General Public Representative
Keith Nielson, Landlord Representative
Monica Whalen, Employer Representative
John Salazar Sr., Employee Representative
Brent Asay, Wage Claim Unit Manager
Robert Wilde, Employee Representative
Ralph Chamness, General Public Representative
Alison Draper, Tenant Representative
Marty Blaustein, Tenant Representative
John Chindlund, Employer Representative
Michael Styles, General Public Representative

Not in attendance:

Gordon Richins, General Public Representative
James Deans, Landlord Representative

Also in attendance:

Nathan Brimhall, Safety Director, CCI Mechanical
Joey Gilbert, AGC
Derrick Smith, URA
Melva Sine, URA

Commissioner Hayashi called the council meeting to order at 12:00 pm. Sherrie welcomed everyone and asked that introductions be made, since all but two of the council members were in attendance. Council Members introduced themselves.

Approval of Minutes for the Last meeting

Robert Wilde made a motion to approve the minutes of the last council meeting. Monica Whalen seconded that motion. The voting was unanimous to approve the minutes.

Tip Rules

Brent Asay reported that the subcommittee to research and discuss possible changes to the tip rules, had not been able to meet as of yet. However, they would be meeting soon and would have a report at the November council meeting.

Uniforms

Brent Asay reported that the subcommittee to research and discuss the uniform rules had met. He stated that there was consensus on some points, but not on other points. He explained that three versions of proposed text for the rule had been distributed to the council; 1) Asay's version; 2) a version by the Restaurant Association; and 3) Monica Whalen's version that had been approved by the Employers Council, Utah Manufacturers Assoc., Utah Food Industry Assoc and the Associated General Contractors.

Melva Sine from the Utah Restaurant Association stated that after reviewing the three versions, the Restaurant Association would agree to Monica's language.

Monica Whalen reviewed her proposed language and explained the reasoning behind it.

Discussion ensued regarding whether the language made it cost prohibitive for employees just entering the workforce. Discussion was also had regarding whether or not OSHA would get involved in who would be responsible for the cost of personal protective equipment such as shoes. Louis Silva from UOSH was invited to address this issue. He stated that OSHA is in the process of developing a standard and the proposed language of that standard is due out shortly. He stated that OSHA's standard would not get into the specifics of who should pay for the personal protective equipment (shoes).

Robert Wilde made a motion to accept the "Asay" language. Tony Montano seconded that motion. A vote of the council ended in a tie, so the motion failed.

Further discussion ensued. Ralph Chamness suggested that the council wait for more information from OSHA on their standard before take any action on this rule.

Tony Montano made the motion to table this issue until the next meeting, so that the subcommittee could research more and the OSHA proposed language might be considered. Robert Wilde seconded the motion. The motion passed unanimously.

Sherrie thanked the committee for their comments. She then adjourned the meeting at 1:10 with a reminder that the next meeting would be held on November 8, 2007 at 11:30 for lunch and the business meeting portion would begin at noon.